

1 **BEFORE THE STATE OF WASHINGTON**
2 **ENERGY FACILITY SITE EVALUATION COUNCIL**

3
4 In the Matter of Application No. 2004-01:
5 WIND RIDGE POWER PARTNERS, LLC;
6 WILD HORSE WIND POWER PROJECT
7
8
9

EXHIBIT 25 (MG-T)

10
11 **APPLICANT'S PREFILED DIRECT TESTIMONY**
12 **WITNESS # 6: MARLENA GUHLKE**

13
14 Q Please state your name and business address.
15

16 A My name is Marlena Guhlke and my business address is 9 South Washington, Suite 400,
17 Spokane, Washington 99201-3709.
18

19 Q What is your present occupation or profession, and what are your duties and responsibilities?
20

21 A I am employed by CH2M Hill. CH2M Hill provides environmental consulting services to
22 organizations such as Zilkha Renewable Energy. We assist those organizations in analyzing
23 environmental impacts and land use compatibility of projects such as the Wild Horse Wind
24 Power Project. I am an Environmental Services Manager, and in this capacity I manage and
25 work on projects, including regulatory compliance, permitting processes, and public

EXHIBIT 25 (MG-T) - 1
MARLENA GUHLKE
PREFILED TESTIMONY

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1 involvement My duties regarding this Project were to write several sections of the ASC (land
2 use and public services and utilities/recreation sections). I assisted in the preparation of the
3 Application for Site Certification for this Project.
4

5 Q Would you please identify what has been marked for identification as Exhibit 25-1 (MG-1).
6

7 A Exhibit 25-1 (MG-1) is a résumé of my educational background and employment experience.
8

9 Q Please summarize work your work in the industry in permitting other energy facilities.
10

11 A I am employed by CH2M HILL as an Environmental Scientist focused on siting, permitting,
12 and development of power generating facilities including the Northwest Regional Power
13 Facility (NRPF), the Starbuck Power Project, and Zilkha's Wild Horse Wind Project. I have
14 been employed by CH2M HILL for 13 years, and prior to that I worked for Lincoln County for
15 17 years, the first 4 years as a Sanitarian and Laboratory technician and the remaining 13 years
16 as the Lincoln County Environmental Health Director.
17

18 Q Are you sponsoring any portions of the "Application for Site Certification" for the Wild Horse
19 Wind Power Project?
20

21 A Yes. I am sponsoring the following sections for which I was primarily responsible for the
22 analysis and development:

23 Section 1.6.6 Cumulative Impacts, Land Use and Recreation

24 Section 1.6.13 Cumulative Impacts, Public Services and Utilities

25 Section 3.5 Agriculture, Crops and Livestock

Section 3.10 Land Use

Section 3.13 Public Services and Utilities/Recreation

Section 3.17.10 Cumulative Impacts Land Use and Recreation

Section 3.17.18 Cumulative Impacts Public Services and Utilities

Q What exhibits that are part of the Application are you sponsoring?

A I am sponsoring the following exhibits to the Application:

Exhibit 3A Kittitas County Code, Utilities Chapter 17.62 and Amendments,

Exhibit 3B Additional Pertinent Sections of Kittitas County Code

Exhibit 3C Kittitas County Comprehensive Plan

Exhibit 3D Pertinent Sections from the RCW

Exhibit 16 Land Use Map

Exhibit 17 Zoning Designations

Exhibit 22 Recreational Areas Surrounding Project Site

Exhibit 23 List of Acceptable Waste Materials – Kittitas Co. Land Fill Site

Q Are you familiar with these sections of the Application and Exhibits?

A Yes

Q Did you prepare these sections and exhibits, or, if not, did you direct and/or supervise their preparation?

A Yes.

1
2 Q Is the information in these sections and exhibits within your area of authority and /or
3 expertise?

4
5 A Yes

6
7 Q Are the contents of these sections and exhibits of the Application either based upon your
8 own knowledge, or upon evidence, such as studies and reports as reasonably prudent
9 persons in your field and expertise are accustomed to rely in the conduct of their affairs?

10
11 A Yes.

12
13 Q To the best of your knowledge, are the contents of these sections and exhibits of the
14 Application true?

15
16 A Yes.

17
18 Q Do you incorporate the facts and content of these sections and exhibits as part of your
19 testimony?

20
21 A Yes.

22
23 Q Are you able to answer questions under cross examination regarding these sections and
24 exhibits?

1 A Yes.

2
3 Q Do you sponsor the admission into evidence of these sections and exhibits of the
4 Application?

5
6 A Yes.

7
8 Q Are there any modifications or corrections to be made to those portions of the Application that
9 you are sponsoring?

10
11 A No.

12
13 Q In your capacity as an environmental service manager assisting in the development of major
14 energy projects and other projects, have you evaluated the compatibility of commercial energy
15 facilities with existing and allowed land uses on adjacent and surrounding properties?

16
17 A Yes, I have previously evaluated the compatibility of natural gas-fired generation projects with
18 existing and allowed uses on adjacent and surrounding properties.

19
20 Q Please describe the factors you considered in conducting this evaluation, particularly in view of
21 the fact that this Project is proposed in the state of Washington.

22
23 A Major commercial wind energy facilities in the Northwest are always proposed in rural areas.
24 This is because wind energy facilities require windy locations, in close proximity to an existing
25 electric transmission grid with capacity to bring the power to market, and with sufficient land

1 area to accommodate the facilities. In Washington, some rural counties are required to comply
2 with the Growth Management Act (“GMA”), which among other requirements, requires such
3 counties to protect rural lands for agricultural, forestry, mineral, and other industries that are
4 dependent upon natural resources available in rural locations. Additionally, and importantly, the
5 GMA requires such counties to adopt policies and develop regulations that prohibit urban land
6 uses, such as residential development, that require the extension of urban services into rural
7 areas. A cornerstone of the GMA is an “anti-sprawl” goal, which prohibits the conversion of
8 rural lands to inappropriate residential uses.

9
10 Wind energy leases and facilities provide significant financial benefits to rural landowners,
11 better enabling them to retain ongoing rural/agricultural land uses in areas that are often
12 threatened by economic forces compelling conversion to non-agricultural (*e.g.* residential) uses.
13 Wind energy facilities convert relatively insignificant amounts of agricultural land to non-
14 agricultural activities, while allowing existing agricultural activities such as grazing and
15 cultivating crops to continue unchanged around wind energy turbine towers and related
16 supporting facilities. Wind energy projects do not require the extension of urban services such
17 as water or sewer services. In these rural locations that are planned and zoned for
18 rural/agricultural and resource land uses, it is my opinion that wind energy facilities are highly
19 compatible with rural/agricultural land uses, provide financial incentives to rural landowners to
20 maintain agricultural and open space land uses, and help counties implement and enforce the
21 GMA’s “anti-sprawl” goals.

22
23 Aside from land use planning and zoning compatibility, the major “compatibility” factor with
24 adjacent and surrounding land uses is typically the visual impact of wind energy facilities. I am
25 aware that another witness is offering testimony on behalf of the Applicant concerning this

1 issue.

2
3 Q Would you please summarize and briefly describe your evaluation of the Project's
4 compliance with land use plans, standards and criteria, including the anticipated land
5 impacts resulting from construction and operation of the Project?

6
7 A As stated in section 3.10 of the Application for Site Certification, the Wild Horse Wind
8 Power Project is proposed in an area located in central Washington's Kittitas Valley, on
9 high open ridge tops between the towns of Kittitas and Vantage. The general study area
10 is characterized by a hilly rural landscape of dry, rocky grasslands with some areas
11 covered with a mixture of sagebrush, bitterbrush, and bunch grasses. The overall
12 population density in the area is very low. There are no dwellings at the Project site. A
13 seasonal use dwelling is located approximately one and a half miles north of the Project
14 and an established residence (Campbell) is located approximately 1.75 miles south of the
15 Project. Land use in the entire study area consists of open space and livestock grazing
16 and publicly-owned land (WDNR and WDFW.) Forest cover exists to the north of the
17 Project, but there are no commercial forestry operations taking place in the immediate
18 vicinity of the Project. There are no Conservation Resource Program (CRP) lands or
19 prime soils in the study area. Seasonal hunting is allowed on some parcels.

20
21 Most of the property on which the wind turbines will be located is zoned Forest and
22 Range, while the southeast corner of the Project area is zoned Commercial Agriculture.
23 The areas west of the Project are also zoned Forest and Range, and further west, lands are
24 zoned Agriculture-20. A proposed 230/287-kV feeder line that will connect the Project
25 with an existing BPA transmission line would cross the Forest and Range zone to the

1 west. Forest and Range land continues to the south of the Project site, as well as
2 Agriculture 20 land further south and to the southwest. These zones will be crossed with
3 a 230-kV feeder line, connecting the Project to the PSE transmission line. Lands located
4 to the east and southeast of the Project site are primarily zoned Commercial Agriculture.
5 Forest and Range lands continue to the north of the Project site, and further north, land is
6 zoned Commercial Agriculture. See Exhibit 17, 'Zoning Designations', which indicates
7 where these County zoning designations fall within the Project area. The County does
8 not anticipate zoning changes in the Project area. According to the County's zoning
9 code, the intent of the Forest and Range zone is to provide areas of Kittitas County where
10 natural resource management is the highest priority and where the subdivision and
11 development of lands for uses and activities incompatible with resource management are
12 discouraged. The Commercial Agriculture zone covers areas where farming and
13 ranching are the priority. The intent of this zoning classification is to preserve fertile
14 farmland from encroachment by nonagricultural land uses and protect the rights and
15 traditions of those engaged in agriculture.

16
17 The Wild Horse Wind Project is proposed in an area that Kittitas County has planned and
18 zoned for natural resource and agricultural land uses, and not for residential subdivisions.
19 The area is outside of any urban growth boundary and is not considered compatible for
20 suburban or urban residential subdivision activity. Furthermore, most of the parcels in the
21 Project area are not currently served by public services such as water, sewer, garbage
22 collection, electricity or fire protection. Section 3.10 also includes an analysis of relevant
23 comprehensive plan policies, which establish the essential policy framework upon which
24 the county zoning code relies. Based upon the language in the zoning code, the
25 comprehensive planning policies analyzed in Section 3.10, and based upon my

1 experience in evaluating and seeking permits for energy facilities in other locations, the
2 Project is fully compatible with the existing underlying zoning, as well as the
3 comprehensive planning policies adopted by Kittitas County to support the zoning
4 designations. It is possible that this area of Kittitas County may be under pressure for
5 residential subdivision activity, due in part to comparable economic opportunities
6 available to land owners by residential subdivision of property versus making use of the
7 property for agricultural activities. To the extent that the Project provides landowners
8 with an economically viable alternative to such residential subdivision, it is wholly
9 consistent with the GMA's "anti-sprawl" goals. It is my opinion and belief that a wind
10 energy facility in this location is both fully compatible with ongoing agricultural use of
11 the property (historically grazing), will remove very little land from agricultural
12 production and use, and it will provide financial incentives to property owners that will
13 reduce the pressure to change land uses from agricultural and open space to residential or
14 other uses. Moreover, given the fact that rural areas of Kittitas County are the only
15 reasonable locations in the county for wind energy, this facility provides an opportunity
16 to make economic use of an important natural resource, namely highly energetic winds,
17 to produce renewable electricity without air or water emissions.

18
19 I am aware that two other significant commercial-scale wind energy facilities are
20 proposed in Kittitas County. Given the insignificant amount (less than 0.5%) of pasture
21 and unimproved grazing land in the county (Kittitas County Comprehensive Plan, 2003)
22 removed from agricultural use and production by these facilities, and given the
23 compatibility of wind energy with the comprehensive planning and zoning in Kittitas
24 County, I do not anticipate that construction and operation of the Wild Horse Wind
25 Power Project will result in any significant cumulative effects upon Kittitas County's

1 overall land use planning and zoning.

2
3 In terms of the land use impacts during the construction phase of the Facility, these
4 impacts would be typical construction phase impacts, including traffic impacts, dust
5 impacts, potential stormwater impacts, and the like. I am aware that these impacts are
6 addressed in the testimony offered by other witnesses.

7
8 Q Are you familiar with Kittitas County Code Chapter 17.61A, "Windfarm Resources
9 Overlay Zone"?

10
11 A Yes.

12
13 Q Have you analyzed any standards in Chapter 17.61A which might apply to the Wild
14 Horse Wind Power Project?

15
16 A Yes, I have.

17
18 Q Please explain your evaluation of the compatibility of the Wild Horse Wind Power
19 Project with KCC Chapter 17.61A.

20
21 A Chapter 17.61A is primarily a procedural ordinance, versus an ordinance that imposes
22 specific siting criteria on "wind farms." Section 17.61A.010 states that the "purpose and
23 intent" of the chapter "is to establish a process for recognition and designation of
24 properties located in areas of Kittitas County suitable for the location of wind farms, and
25 to protect the health, welfare, safety, and quality of life of the general public, and to

1 ensure compatible land uses in the vicinity of the areas affected by wind farms.”
2 Chapter 17.61A is a companion to KCC 17.61.020(D), which provides that wind farms
3 may be authorized in accordance with Chapter 17.61A in the Agricultural-20, Forest and
4 Range, Commercial Agriculture, and Commercial Forest zones.

5
6 Section 17.61A.040 requires approvals by the Board of County Commissioners of any
7 wind farm proposed within the Resources Overlay zone. This section requires that wind
8 farms be authorized through approval of a “wind farm resource development permit in
9 conjunction with an approval of a development agreement.” Additionally, in order to
10 obtain a wind farm development permit, and in order to be eligible to negotiate a
11 development agreement, “a comprehensive plan amendment or subarea plan for a wind
12 farm resource overlay district must be processed by the county concurrent with [a] rezone
13 application, development permit and development agreement required for approval of a
14 wind farm.” KCC 17.61A.040(4). The development agreement approved by the Board
15 of County Commissioners must set forth development standards, “which may include, but
16 are not limited to,” densities, number, size, setbacks, and locations of turbines; mitigation
17 measures and such other development conditions as deemed appropriate by the Board of
18 County Commissioners to be necessary “including measures to protect the best interests
19 of the surrounding property or neighborhood or the county as a whole;” and “other
20 development standards” including those stated in the County’s development agreements
21 ordinance. (KCC 17.61A.040(1)). In order to approve the development permit,
22 development agreement, comprehensive plan amendment and rezone, the Board of
23 County Commissioners must make the following findings:

- 24 a. The proposal is essential or desirable to the public convenience;
25 b. The proposal is not detrimental or injurious to the public health,

1 peace, or safety or to the character of the surrounding
2 neighborhood; and

- 3 c. The proposed use at the proposed location(s) will not be
4 unreasonably detrimental to the economic welfare of the County
5 and it will not create excessive public cost for facilities and
6 service.” KCC 17.61A.040(3).

7 As these provisions demonstrate, under Chapter 17.61A, the Board of County
8 Commissioners retains wide latitude in determining whether particular wind farms are
9 “desirable to the public convenience” and whether they are “detrimental or injurious to
10 the public health, peace, or safety to the character of the surrounding neighborhood.”
11 Chapter 17.61A provides no objective standards or benchmarks for an Applicant to
12 determine whether a permit will be approved under the ordinance. While the standards
13 are similar to traditional conditional use permit criteria, Chapter 17.61A in essence blends
14 the legislative function of the Board of County Commissioners to adopt comprehensive
15 plans and to rezone property, with site specific development permitting. This decision is
16 at the heart of the ordinance and it seems to provide very significant discretion to the
17 Board of County Commissioners.

18 Notwithstanding the discretion retained by the Board of County Commissioners, the only
19 criteria in the ordinance deal with densities, number, size, setbacks, locations of turbines,
20 mitigation measures to protect the best interests of the surrounding property or
21 neighborhood, and other traditional development standards. However, the ordinance does
22 not actually define these standards, but appears to leave them to a case-by-case
23 determination. The Applicant has sought approval from the County under the Wind Farm
24 overlay ordinance. Based upon the Wild Horse Project location and design, it appears to
25 me that the Project adequately addresses the considerations under the County ordinance.

The required construction set-back distances under current County zoning for the Project area are as follows:

AG20:	Forest and Range:	Commercial Agriculture:
Front – 25ft	Front – 25ft	Front – 25ft
Side – 5ft	Side – 10ft	Side – 5ft
Rear – 25ft	Rear – 10ft	Rear – 25ft

The Project has been designed to incorporate setbacks from all property lines of a distance equal to or greater than tip-height of the proposed wind turbines (260 ft to 410 ft, depending on which turbine model is used) which is well in excess of these setback requirements. I understand that the nearest residence is approximately 1.75 miles from the closest proposed turbine location.

The Project is designed to be compatible with surrounding land uses, particularly agricultural land uses. To the extent that owners of surrounding or abutting properties may believe that the Project will diminish their opportunities to develop their land (*e.g.* through residential subdivisions), the land is not planned or zoned for urban or suburban residential use. While the subjective concerns of some land owners regarding visual impacts may cause them to change their ambitions for future land use, the Project has taken measures to set facility components at least tip-height distance (260 ft to 410 ft, depending on which turbine model is used) back from adjacent property lines and the Applicant anticipates that adjacent and surrounding lands will continue to be used for rural/agricultural uses. Due to the remote location of this Project, the nearest residence is

1 far removed from any portion of the Project. Moreover, while I have not been actively
2 involved in the SEPA process for this Project, I am aware that a Draft Environmental
3 Impact Statement has been completed for the facility, and that the Applicant is agreeing
4 to a wide range of mitigation measures and other development conditions in order to
5 ensure land use compatibility, as well as avoidance, minimization, mitigation of
6 significant adverse environmental impacts. While I am not the witness qualified to testify
7 with regard to this specific EIS and its SEPA-related conditions and mitigation measures,
8 generally speaking, the SEPA process is the traditional venue for addressing these
9 considerations.

10
11 Q Would you please summarize and briefly describe your evaluation of impacts to
12 agriculture and crops?

13
14 A Land uses in the Project area are predominantly open space and livestock (cows, horses
15 and sheep) grazing. There is currently no agricultural activity taking place on any of the
16 parcels where Project facilities are proposed, other than grazing. None of the land is
17 irrigated and no crops are grown on these parcels, which are designated as open range by
18 Kittitas County. Due to low precipitation, this area is not highly productive rangeland,
19 and most grazing use is seasonal (spring) in nature. The vegetation in the Project area, as
20 described and assessed in detail in Section 3.4, 'Vegetation and Wetlands', is dominated
21 by native shrub steppe species, but invasive species are present in some areas,
22 particularly those areas near existing roads and around springs.

23
24 As described in the ASC, Section 3.5, 'Agricultural Crops and Livestock,' during
25 construction of the Project, it will be necessary to remove livestock the Project to prevent

1 potential conflicts with blasting or heavy equipment operations. The Applicant will make
2 arrangements with the property owner and livestock owner(s) to keep livestock out of the
3 Project areas during this period. The entire construction period is expected to last less
4 than one year, so the impact on grazing operations will be limited to one grazing season.
5 The area that will be temporarily disturbed during construction is approximately 360
6 acres. Once the Project is completed, grazing activities can resume as before. The
7 operation of wind turbines is highly compatible with grazing activities. Cattle, horses,
8 sheep, and other domestic animals routinely graze underneath operating wind turbines at
9 projects across the U.S. and around the world. Most of the Project facilities will be
10 located within a roughly 25,000 acre privately-owned ranch. The entire Project area
11 encompasses approximately 8,600 acres. The total footprint area that will be
12 permanently occupied by the Project facilities is approximately 165 acres.

13
14 The Applicant has determined that grazing activities will be discontinued in an area that
15 will be used for habitat mitigation per WDFW's Windpower Guidelines. Section 27 (T
16 18 N, R 21 E) has been proposed for use as mitigation acreage and would be excluded
17 from grazing, in accordance with the WDFW's guidelines for wind power development.

18
19 Assuming cattle grazing continues on adjacent parcels, the Applicant would install
20 approximately 9,800 feet of new fencing along portions of the northern, western and
21 southern boundaries of Section 27 during the construction timeframe. To the extent
22 practical, existing fencing along the northern and eastern boundaries of Section 27 would
23 remain in place. When completed, the fence will exclude livestock from the section in
24 order to enhance its value as wildlife habitat. The specific height and material used for
25

1 new fencing will be determined in consultation with WDFW to allow wildlife to cross
2 over into this area.

3
4 In the event that cattle grazing is discontinued entirely on the private lands within the
5 Project boundary, approximately 5,300 acres of grazing land would be removed from
6 production for the life of the Project (at least 20 years). The removal of approximately
7 5,300 acres of land from the approximately 445,000 acres of pasture or unimproved
8 grazing land in Kittitas County (Kittitas County Comprehensive Plan, 2003) would
9 represent a reduction of approximately 1.2%. Section 3.4, 'Agricultural Crops and
10 Livestock' contains additional details addressing grazing, and Section 3.10, 'Land Use'
11 addresses zoning details.

12
13 Q Would you please summarize and briefly describe your evaluation of the Project's
14 impacts upon public services and utilities?

15
16 A With the assistance of others, I prepared Section 3.13 of the Application for Site
17 Certification. Section 3.13 includes an analysis of public services, including police, fire,
18 schools, parks, maintenance, communications, water/stormwater, sewer/solid waste, and
19 other governmental services or utilities. I am aware that Andrew Young, the Applicant's
20 Director of Development, has signed an agreement with Kittitas County Fire District No.
21 2 to provide fire protection services during construction and operation of the Wild Horse
22 Project.

23
24 Unlike other development activity traditionally proposed in rural areas, wind energy
25 facilities have very few, if any, impacts upon public services. While some temporary

1 elevated needs for local law enforcement services may arise during construction (which
2 are addressed in the ASC), and while fire control is a very important issue for any major
3 construction project in a rural area, this Project is not anticipated to have impacts upon
4 schools, parks and recreation or water and wastewater services. Impacts upon the local
5 electric utility (Kittitas PUD No. 1) are generally anticipated to be positive, by the
6 addition of a new source of power to the regional grid. I understand that the Applicant is
7 addressing potential impacts on telecommunications through other testimony. In short,
8 with regard to the public services and utilities that I analyzed, and as further described in
9 Section 3.13, I do not anticipate this Project will have any unmitigated impacts upon
10 public services. Moreover, in view of other pending or potential wind power facilities
11 proposed in the county, I do not anticipate any cumulative impacts or effects on public
12 services and utilities.

13
14 Q Would you please summarize and briefly describe your evaluation of the Project's
15 impacts upon recreational facilities and services?

16
17 A ASC Exhibit 22 depicts the parks and recreation facilities and activities within a 25-mile
18 radius of the Project, and beyond. ASC Section 3.13 provides a detailed list of parks and
19 recreational facilities and activities within a 25-mile radius of the Project and beyond. As
20 provided in the ASC, during the construction phase, some workers will likely utilize
21 campgrounds and parks, and may also take advantage of the recreational opportunities
22 within the county and throughout the region. It is possible that recreational amenities
23 which are already crowded during peak demand periods in the summer months could
24 temporarily become more crowded during the peak construction weeks, with other users
25 potentially displaced by construction workers. During operation of the Project, park and

1 recreation facilities which exceed capacity now may see nominal additional demand.
2 This demand will be limited by the low number of employees (8-9) and their family
3 members expected to relocate to the area. Moreover, in view of other pending or
4 potential wind power facilities proposed in the county, I do not anticipate any cumulative
5 impacts or effects on recreational facilities and services.
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